

Message Text

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ACTION EUR-12

INFO OCT-01 NEA-10 IO-13 ISO-00 HA-05 CIAE-00 DODE-00
PM-05 H-01 INR-10 L-03 NSAE-00 NSC-05 PA-01
SP-02 SS-15 USIA-06 TRSE-00 ACDA-12 /101 W
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R 151649Z MAR 78
FM AMEMBASSY MOSCOW
TO SECSTATE WASHDC 9060
USMISSION USUN NEW YORK
INFO AMEMBASSY BELGRADE
AMEMBASSY BERLIN
AMEMBASSY BUCHAREST
AMEMBASSY BUDAPEST
AMCONSUL LENINGRAD
AMCONSUL MUNICH
AMEMBASSY PARIS
AMEMBASSY PRAGUE
AMEMBASSY SOFIA
AMEMBASSY TEL AVIV
AMEMBASSY WARSAW
USMISSION USNATO

C O N F I D E N T I A L SECTION 01 OF 02 MOSCOW 04715

E.O. 11652: XGDS-4
TAGS: PINT, PINS, CSCE, SHUM, UR
SUBJECT: POSSIBLE NEW REFUSENIK ACTIVITY ON HUMAN RIGHTS

REF: MOSCOW 287 (NOTAL)

SUMMARY. MOSCOW REFUSENIK COMMUNITY IS ACTIVELY
DISCUSSING WHETHER TO EXPAND ITS EFFORTS, WHICH HERETOFORE
HAVE BEEN DIRECTED IN LARGE PART TOWARD EMIGRATION, TO
INCLUDE PRESSURE ON SOVIET AUTHORITIES TO IMPLEMENT
TERMS OF INTERNATIONAL COVENANT ON CIVIL AND POLITICAL
RIGHTS. IF IT COMES ABOUT, SUCH A STEP WOULD REPRESENT
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A BASIC CHANGE IN DIRECTION OF REFUSENIK MOVEMENT AND
TIE IT MUCH MORE CLOSELY TO HUMAN RIGHTS MOVEMENT, WHICH
HAS ALL ALONG DIRECTED ITS ENERGIES TOWARD REFORM OF
SYSTEM RATHER THAN TOWARD EFFORTS TO LEAVE IT. SUPPORTERS
OF SUCH EFFORTS SEEK ACTIVE USG SUPPORT FOR IMPLEMENTATION
OF COVENANT'S PROVISIONS. END SUMMARY.

1. ADDRESSEES MAY RECALL THAT IN REFTTEL, EMBASSY REFERRED TO DEBATE WITHIN REFUSENIK COMMUNITY ABOUT WHETHER TO ADD TO ITS AGENDA OF CONCERNS LACK OF RELIGIOUS FREEDOM AND OPPORTUNITY FOR JEWISH CULTURAL AND RELIGIOUS EDUCATION WITHIN USSR. WE NOTED AT THAT TIME THAT SUCH A STEP WOULD IMPEL REFUSENIKS TOWARD GREATER COOPERATION WITH HUMAN RIGHTS ACTIVISTS, AS WELL AS WITH NON-JEWISH RELIGIOUS GROUPS.

2. A REFUSENIK SOURCE HAS NOW GIVEN US A DETAILED READ-OUT OF HOW THAT DISCUSSION HAS EVOLVED OVER PAST TWO MONTHS. IN HIS VIEW, REFUSENIKS ARE MOVING AWAY FROM EFFORTS TO OBTAIN IMPLEMENTATION OF FAMILY REUNIFICATION PROVISIONS OF HELSINKI ACCORD AND TOWARD EFFORTS TO PRESSURE SOVIET AUTHORITIES TO ADOPT DOMESTIC LAWS AND PROCEDURES WHICH CONFORM TO ITS OBLIGATIONS UNDER THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS. REASON FOR THIS CHANGE IN EMPHASIS IS TWO-FOLD. IN FIRST PLACE, SOME REFUSENIKS BELIEVE THAT EFFORT TO OBTAIN ADHERENCE TO HELSINKI ACCORDS HAS BEEN UNSUCCESSFUL AND THAT THE FOCUS OF THE STRUGGLE MUST THEREFORE NOW BE CHANGED. IN SECOND PLACE, COVENANT IN THEIR VIEW PROVIDES MORE DETAILED AND SPECIFIC RIGHTS THAN DOES HELSINKI AGREEMENT, EVEN IN THE AREA OF EMIGRATION, WHICH REMAINS OF GREATEST INTEREST TO REFUSENIKS.

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3. INITIAL REFUSENIK INTEREST IN COVENANT WAS AROUSED BY ITS ARTICLE 12 ON EMIGRATION, WHICH IN REFUSENIKS' VIEW PROVIDES BASIS FOR ATTACK ON ARBITRARINESS WHICH CHARACTERIZES SOVIET CONSIDERATION OF EXIT VISA REQUESTS. SOME REFUSENIKS, THEREFORE, IN APRIL 1977 DREW UP A DETAILED ANALYSIS OF CONTRADICTIONS BETWEEN COVENANT OBLIGATIONS AND SOVIET PRACTICE IN AREA OF EMIGRATION. THIS DOCUMENT ACCOMPANIED A LETTER TO BREZHNEV IN SEPTEMBER 1977 SUMMARIZING THE STUDY'S FINDINGS ON WHAT WOULD BE NEEDED TO BRING SOVIET LAW AND PRACTICE INTO CONFORMITY WITH THE COVENANT AND URGING HIM TO PROPOSE A STATUTE ON REPATRIATION TO ACCOMPLISH THAT GOAL (COPIES OF BOTH DOCUMENTS BEING POUCHED TO EUR/SOV). THE LETTER WAS SIGNED "ENTHUSIASTICALLY", ACCORDING TO OUR SOURCE, BY WELL OVER ONE HUNDRED REFUSENIKS, INCLUDING THE MORE PROMINENT FIGURES SUCH AS SLEPAK AND LERNER.

4. MANY REFUSENIKS, OUR SOURCE CLAIMS, HAVE GRADUALLY COME TO THE VIEW THAT IT IS NOT POSSIBLE TO STRIVE FOR THE REALIZATION OF ONE RIGHT (I.E. EMIGRATION) IN ISOLATION FROM OTHERS. THIS IS AN IDEA FORMERLY NOT POPULAR AMONG REFUSENIKS, WHO BELIEVED THAT THEIR

INTERESTS WERE BEST SERVED BY CONCENTRATING THEIR ENERGIES ON THE EMIGRATION ISSUE. NEVERTHELESS, MANY NOW CONSIDER THAT THE BUREAUCRATIC ARBITRARINESS TO WHICH THEY OBJECT WITH REGARD TO THE RIGHT OF EMIGRATION AFFECTS ALL OTHER RIGHTS AS WELL AND MUST BE RESISTED ON A WIDER SCALE.

5. THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS IS VIEWED BY REFUSENIKS OF THIS PERSUASION AS A POTENTIALLY USEFUL INSTRUMENT IN THIS STRUGGLE. TALKS

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INFO AMEMBASSY BELGRADE
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C O N F I D E N T I A L SECTION 02 OF 02 MOSCOW 04715

ARE NOW GOING ON WITH A VIEW TOWARD SETTING UP GROUPS IN SUPPORT OF THE COVENANT IN BOTH MOSCOW AND LENINGRAD. THESE GROUPS WOULD INCLUDE REFUSENIKS AND HUMAN RIGHTS ACTIVISTS. AMONG THE HUMAN RIGHTS ACTIVISTS SPECIFICALLY MENTIONED TO US AS PROBABLE PARTICIPANTS ARE HELSINKI SUB-GROUP ON PSYCHIATRIC PRACTICES MEMBERS PODRABINEK AND BAKHMIN. AT PRESENT, THE ORGANIZERS DO NOT INTEND TO ASK SAKHAROV TO PARTICIPATE. OUR SOURCE BELIEVES

THESE NEW GROUPS SHOULD BE READY TO BEGIN ACTIVITIES
IN ABOUT A MONTH.

6. OUR SOURCE, WHO IS ACTIVELY INVOLVED IN THIS EFFORT,
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HOPES THAT THE U.S. WILL SUPPORT THE NEW GROUPS' AIMS
BY LENDING ITS PRESTIGE TO THE COVENANT AND BY SPEAKING
OUT ACTIVELY ABOUT THE NEED TO FULFILL THE COVENANT'S
PROVISIONS. SOURCE APPROVINGLY REFERRED TO U.S. SUPPORT
FOR HELSINKI ACCORD AS EXAMPLE OF KIND OF ASSISTANCE
DESIRED. SOURCE ALSO NOTED THAT UNDER TERMS OF COVENANT,
SOVIET UNION WAS OBLIGATED TO DEPOSIT WITH U.N. IN MARCH
1977 A REPORT ON ITS FULFILLMENT OF THE COVENANT'S
OBLIGATIONS. HE SAID THAT EFFORTS IN MOSCOW TO OBTAIN
A COPY OF THIS REPORT HAVE BEEN UNAVAILING AND ASKED
WHETHER USG COULD BE OF ASSISTANCE.

7. COMMENT: QUESTION OF WHETHER AND UNDER WHAT TERMS
TO JOIN WITH HUMAN RIGHTS ACTIVISTS IN SEEKING INTERNAL
REFORM IS A RECURRING ONE WHICH HAS LONG VEXED REFUSENIK
COMMUNITY. IF VIEW AMONG MAJORITY HAS CHANGED, AS
INDICATED BY THIS SOURCE, RESULT COULD BE MUCH GREATER
COORDINATION WITH HUMAN RIGHTS ACTIVISTS AND PARTICIPATION
IN WIDER VARIETY OF ACTIVITIES. SUCH DEVELOPMENTS WOULD
NOT BE RECEIVED WELL BY SOVIET AUTHORITIES, AS THEY SHOWED
IN THEIR HARSH REACTION TO HELSINKI MONITORING GROUP,
WHICH ALSO COMBINED SOME REFUSENIK ELEMENTS WITH DISSIDENTS
IN EFFORT TO SEEK IMPLEMENTATION OF SOVIET INTERNATIONAL
OBLIGATIONS. WE REMAIN UNCERTAIN THAT MAJORITY OF
REFUSENIKS WILL ULTIMATELY DECIDE TO SUPPORT THIS EFFORT
ACTIVELY. ARGUMENTS IN FAVOR OF NOT WEAKENING EFFORTS
ON EMIGRATION BY EXPANDING EFFORTS TO OTHER AREAS ARE
LIKELY TO CONTINUE TO CARRY WEIGHT WITH SOME AND FEAR
OF HARSH SOVIET REACTION WILL DETER OTHERS. WE WILL
MAKE FURTHER INQUIRIES AS CIRCUMSTANCES PERMIT AND
REPORT OUR IMPRESSIONS.

8. ACTION REQUESTED: IF IT EXISTS, WE WOULD LIKE TO
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EXAMINE A COPY OF SOVIET REPORT ON ITS IMPLEMENTATION
OF COVENANT ON CIVIL AND POLITICAL RIGHTS. WOULD
APPRECIATE KNOWING WHETHER DEPARTMENT IS AWARE OF SOVIET
UNION EVER HAVING FIELD SUCH A DOCUMENT AND, IF SO,
WHETHER A COPY IS AVAILABLE TO BE POUCHED TO US. TOON

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Message Attributes

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